

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA
Alexandria Division

UNITED STATES OF AMERICA	:
	:
vs.	: CRIMINAL NO. 1:06cr427
	:
ROBERT T. SCHOFIELD	:
	:
Defendant	:

DEFENDANT'S MOTION FOR
EARLY TERMINATION OF SUPERVISED RELEASE

Robert T. Schofield, by and through counsel, pursuant to Federal Rule of Criminal Procedure 32.1(c)(2) and 18 U.S.C. §3582(e), moves this Court for the entry of an order terminating his term of supervised release early based on his exemplary conduct while on supervision and in the interest of justice. Neither the United States Attorney's Office nor the Probation Office have any objection to early termination of supervised release.

Procedural History

1. On April 20, 2007, this Court sentenced Mr. Schofield to a term of incarceration of 180 months, three years of supervised release, and forfeiture of \$3.1 million.
2. On September 28, 2012, pursuant to the government's Rule 35 motion, the Court reduced Mr. Schofield's sentence by 50% from 180 months to 90 months.
3. On January 9, 2013, Mr. Schofield was release from the custody of the Bureau of Prisons and began his term of supervised release under the supervision of the Probation Office for the Middle District of Florida.

Mr. Schofield's Post-Release Conduct

4. In the nearly two years since his release, Mr. Schofield has completely and totally committed himself to rectifying his wrongs and fulfilling his role as a responsible citizen and son.

- a. Mr. Schofield has fully complied with the terms and conditions of his supervised release and has not had a single disciplinary action during his post-release supervision.
- b. Mr. Schofield has been employed on a part-time basis as a line cook for the same employer since August 2013, even though employment is not a condition of his post-release supervision.
- c. Mr. Schofield recently received permission from his probation officer to leave the line cook position and begin a position distributing the homeowner's association newsletter to his community in Florida.
- d. Mr. Schofield volunteers weekly at the St. Vincent de Paul Food Pantry, Lady Lake, Florida stocking food donations for the pantry.
- e. Mr. Schofield volunteers weekly at Samaritan Inn, Leesburg, Florida as a groundskeeper/gardener. Samaritan Inn provides transitional housing for homeless families.
- f. Mr. Schofield is a member of St. Timothy's Parish where he attends services regularly, as well as the parish's Knights of Columbus, Council #10034, Lady Lake, Florida.
- g. Mr. Schofield resides with and cares for his 84 year-old father who suffers from congestive heart failure.

h. Mr. Schofield has obtained permission from the Probation Office on at least five separate occasions to travel outside the district to visit his children and grandchildren.

5. In addition to his substantial cooperation which lead to his Rule 35 sentence reduction, Mr. Schofield has continued that cooperation and has willingly traveled to Virginia to meet with representatives from DHS-CIS, DHS-ICE, the State Department, and the United States Attorney's Office on two separate occasions (five separate meeting). Although he has not been contacted by any agency since late 2013, Mr. Schofield continues to be available as needed.

6. In the Fall of 2013, Mr. Schofield was scheduled to testify in a criminal trial in this Court but the defendant entered a plea three days before Mr. Schofield was to testify.

7. Mr. Schofield not only regrets his crime but, as evidenced by his post-conviction actions, he intends to spend his life being a productive member of society.

For these reasons, Mr. Schofield asks the Court for an order terminating his supervised release early as successfully completed.

Respectfully Submitted,

Robert T. Schofield
By Counsel

/s/

Alan H. Yamamoto, VSB #25872
Attorney for Robert T. Schofield
Law Offices of Alan H. Yamamoto
643 S. Washington Street
Alexandria, Virginia 22314
Phone: (703) 684-4700
Fax: (703) 684-6643
yamamoto.law@verizon.net

Robert T. Schofield, IV
New York Bar Reg. #2802148
Attorney for Robert T. Schofield
Pro Hac Vice
One Commerce Plaza, Suite 1900
Albany, NY 12260
(518) 487-7616

CERTIFICATE OF SERVICE

I certify that on 19th day of December 2014, I will electronically file the foregoing with the Clerk of Court using the CM/ECF system, which will then send a notification of such filing (NEF) to the following:

Ronald L. Walutes, Jr., Esquire
U.S. Attorney's Office
2100 Jamieson Avenue
Alexandria, VA 22314,

and mailed to

Ms. Maia Jefferson
United States Probation Office
Golden-Collum Federal Building
207 N.W. Second Street, Suite 257
Ocala, FL 34475-6635

/s/
Alan H. Yamamoto